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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/708,093	11/08/2000	Arto Astala	017.38958PX1	9916
20457	7590	09/20/2004	EXAMINER	
ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-9889			BLACKWELL, JAMES H	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/708,093

Applicant(s)

ASTALA ET AL.

Examiner

James H Blackwell

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

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DETAILED ACTION

This Office Action is in response to amendments filed 04/26/04.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5-6, and 10-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Ayers et al. (hereinafter Ayers, "Using Graphic History in Browsing the World Wide Web", Proc. 4th Intl. WWW Conf. Boston, December 1995).

In regard to independent Claim 1 (and similarly independent Claim 6), Ayers teaches a thumbnail history that is created passively as a user browses a document collection (p. 4, 2nd paragraph; compare with Claim 1 (and similarly Claim 6), "**...accessing a Web Page by a user**"). Ayers also teaches that MosaicG uses thumbnail images of the documents to allow the user of a browser to quickly recognize a page or a set of pages in the tree (p. 4, 4th paragraph; compare with Claim 1 (and similarly Claim 6, "**...reducing the size of the accessed web page to a thumbnail snapshot**"). Ayers also teaches enhancing the history-keeping facility of the Mosaic browser by providing a two-dimensional view of the documents a user has visited in a session. It is intended as an easy-to-use aid in navigating a collection of hypertext documents. By presenting title, URLs, and thumbnail images of the documents a user has visited in a session, the Graphics History View allows a user to easily recognize a previously visited

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document and provides an easy way for the user to revisit that document and analyze the structure of a set of hypertext documents (see Abstract). In addition, Figure 1 shows the Graphic History View. Compare with Claim 1 (and similarly Claim 6), “... ***displaying the thumbnail snapshot to the user in an area of a screen containing only history information***”).

In regard to dependent Claim 5 (and similarly dependent Claim 10), Ayers teaches a user can recall a document in the tree by double-clicking on a node in the Graphic History View window (p. 6, paragraph atop Fig. 3; compare with Claim 5 (and similarly Claim 10), “... ***selecting a web page to revisit by clicking on a thumbnail snapshot of the web page stored as a result of prior access to the web page***”).

In regard to dependent Claim 11, Ayers teaches an overview of the Graphics History View, containing thumbnails depicting a history of web pages visited during a browsing session (p. 3, Fig. 1; compare with Claim 11, “... ***the area of a screen containing only history information displays a plurality of thumbnail snapshots of previously accessed web pages simultaneously***”).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayers in view of Hightower et al. (hereinafter Hightower, "Graphical Multiscale Web Histories: A Study of PadPrints", ACM Hypertext Conf., June 20-24, 1998).

In regard to dependent Claim 2 (and similarly dependent Claim 7), Ayers fails to specifically teach *checking a history file to determine if the accessed web page is in the history file; and reducing the size of the web page only when the accessed web page is not in the history file*. However, Hightower teaches that PadPrints adds a new page to the graphical hierarchy or, if the URL is already present in the hierarchy, marks the existing page with a yellow outline to denote it as the current page (p. 2 of 8, 3rd paragraph). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Ayers and Hightower as both of these teachings deal with the display of thumbnail versions of web pages in order of the history at which they were visited. The benefit provided by Hightower allows for the document tree to use less space in the history window for displaying thumbnails.

Claims 3-4 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayers in view of Collins-Rector et al. (hereinafter Collins-Rector, U.S. Patent No. 6,188,398).

In regard to dependent Claim 3 (and similarly dependent Claim 8), Ayers fails to teach that *the thumbnail snapshot is displayed to the user in a toolbar*. However, Collins-Rector teaches a clickable button or thumbnail of an advertisement that appears in the toolbar frame as a new ad banner appears in another frame. These buttons can be selected to obtain further information about an item that appeared in the banner ad represented by the button (Col. 2, lines 54-62). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Ayers and Collins-Rector because both deal with graphically depicting a history of web page thumbnails. Adding the teaching of Collins-Rector to Ayers provides the benefit of allowing the thumbnails to additionally be displayed in a toolbar.

In regard to dependent Claim 4 (and similarly dependent Claim 9), Ayers fails to teach that *the toolbar is able to scroll and display a plurality of thumbnail snapshots from the most recent to the least recent*. However, Collins-Rector teaches that the number of thumbnails allowed can be more than fits on the toolbar by allowing the user to scroll frame 3. Of course, the ad toolbar may be oriented horizontally rather than vertically in which case, as new thumbnails are added, the older thumbnails are moved to the left or to the right. Further, rather than the oldest thumbnail being removed completely, once more thumbnails are presented than can be displayed in the space allocated for the ad toolbar, the ad toolbar can be set up to scroll so that the oldest

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thumbnails can retrieved at any time by scrolling the ad toolbar as necessary (Col. 5, lines 21-31). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Ayers and Collins-Rector because both deal with graphically depicting a history of web page thumbnails. Adding the teaching of Collins-Rector to Ayers provides the benefit of allowing the thumbnails to additionally be displayed in a toolbar with a scrolling feature.

Response to Arguments

Applicant's arguments with respect to claims 1 -11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H Blackwell whose telephone number is 703-305-0940. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 703-305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER

James H. Blackwell
09/08/04